

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MACK STEVEN MCCLOUD,

Petitioner,

v.

Case No. 07-C-1050

LARRY L. JENKINS,

Respondent.

ORDER

On November 27, 2007, Mack Steven McCloud filed a petition pursuant to 28 U.S.C. § 2254, asserting that his current confinement violates the Constitution. McCloud is currently incarcerated at the Kettle Moraine Correctional Institution. He did not pay the filing fee, however, and instead filed an Application to Proceed Without Prepayment of Fees and Affidavit. It is unclear from the application whether McCloud seeks waiver of the filing fee or merely permission to pay the fee from his release account. According to his affidavit, McCloud has \$24.65 in his regular prison account and \$397.38 in his release account.

The filing fee for a petition seeking habeas corpus is \$5.00. McCloud clearly has sufficient funds in his regular account to pay this fee. Accordingly, his Application to Proceed Without Prepayment of Fees will be denied, and he will be granted 21 days within which to pay the required filing fee. Failure to do so will result in his petition being dismissed.

SO ORDERED this 30th day of November, 2007.

s/ William C. Griesbach

William C. Griesbach

United States District Judge